

Musicians fight to keep 'conductor clause' intact

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By Avigdor Zoromp
special writer

It is agreed at this point in the strike by the Detroit Symphony Orchestra musicians that the "conductor clause" in the contract is the biggest stumbling block.

This clause obligates the management to confine its search for a music director to a mutually agreed-upon list. This clause was adopted 20 months ago, in return for economic concessions by the orchestra because of the financial problems at that time.

Oleg Lobanov, executive vice president and managing director of the Detroit Symphony Orchestra (DSO), spoke on this at a press conference saying, "We know of no other organization in the country which allows this situation."

Lobanov also said that such a clause would unduly tie the hands of the management in its search for a new director.

"Suppose that I came across an opportunity to hire one of the greatest conductors, say, Heltink, or any name you like. If I were to make a proposition to him, the first thing he might ask me is whether I have the final authority to hire him. What am I going to say to him?"

HE SAID, however, that management would always welcome input and suggestions from the orchestra. "We would certainly encourage such

analysis

an input, but the final decision should be ours," he said. But, he said, the notion of the orchestra having a say in the matter written into the contract seemed totally unacceptable and unreasonable to him.

"Suppose that shortly before the music director's contract is up for renewal, he drills the players and makes them sweat. He will have to worry about his contract if the orchestra has anything to say about it."

Orchestra representatives say they resent any implication that they might use the clause to select a conductor who would go easy on them.

Douglas Cornelison, clarinet, a member of the orchestra's negotiating team, said, "We are voluntarily joining the longest unemployment line since the Great Depression over artistic, non-economic issues."

Responding to the argument that such a clause isn't found in contracts, he said, "The fact that a certain practice is customary and traditional does not necessarily make it right or desirable."

To the contention that the clause was only temporary to begin with and wasn't incorporated into the master contract, Cornelison said, "Every item in a contract is temporary until the

contract expires. We have won this provision by making economic sacrifices. You don't take away something that has been already won."

WHEN ASKED if the musicians would give up the clause for economic improvements, Joseph Goldman, assistant concertmaster and member of the orchestra's negotiating team said, "This clause is not for sale. Suppose I bought my violin at a price under the market value. That does not mean that I have to sell it at the same price, or to sell it at all, for that matter."

Cornelison and Goldman agreed that if the board could convince them that they would take the musicians' suggestions into consideration and hire the most suitable and qualified conductor possible, then the clause wouldn't be necessary.

But, they said, the track record so far hasn't been very good. All of the conductors were unsuitable, with the exception of Antal Dorati, and even in this case, the board regretted having hired him.

As to why management would insist on hiring inferior conductors if better ones were available, they said a top-rate conductor would insist on recording and broadcasting contracts as well as tours.

THEY AGREED all of these things would cost extra money, but surveys indicate the potential for extra money is definitely there. They contend that

management tends to prefer conductors who would follow orders and not give them any trouble.

As to the actual selection of a conductor, they stressed that a music director has to be more than a good musician. He has to be civic minded and have the ability to attract funds.

Cornelison said, "You may have somebody as civic minded as Gandhi, have all the charismatic features of J.F. Kennedy, have the fund-raising ability of Howard Hughes and be the most social person in the world. If he is not a good musician — all these outstanding qualities are meaningless to the DSO."

Goldman and Cornelison expressed skepticism about the musical qualifications of the board members and their abilities to judge conductors since, they said, many seldom attend the concerts.

On the other hand, they said, most of the musicians have taken conducting classes and many of them are extremely well qualified to judge the ability of a prospective conductor.

OTHER orchestra-related concerns which they spoke about were the demoralizing effect which the departure of Dorati and the resulting uncertain situation had on the musicians, the fact that 10 musicians have left the or-

chestra in that time, some to take lesser positions with other orchestras, and the increasing difficulties in attracting qualified musicians for vacant positions.

Both management and the musicians have expressed willingness to negotiate on any issue, stopping short, however, of the crucial issue.

Said Lobanov, "We are willing to discuss and negotiate whatever any alternative, leading up to, but not including the issue of the actual appointment

of a music director." He added, "I have offered them to have their pick of a contract of any of the major orchestras, and we would consider it. None of these contracts has a provision letting the musicians choose their own director."

He reiterated his position that giving into such a demand would undermine the board's obligation to the community.

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